



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT**  
**P.O. BOX 17300**  
**FORT WORTH, TEXAS 76102-0300**

March 28, 2024

IIS Contracting Division

SUBJECT: Notice of Preliminary Injunction; United States District Court for the Southern District of Texas (McAllen Division), Civil Action No. 7:21-CV-00272--Effect on the Administration of Contract W9126G19D0040, Task Order W912QR20FA002 (RGV07), Border Infrastructure Design-Build Rio Grande Valley Sector, TX

Mr. Ryan McLaughlin  
Randy Kinder Excavating, Inc.  
12965 Carrier Ln.  
Dexter, MO 63841

Dear Mr. McLaughlin:

Please be advised on March 8, 2024, the United States District Court for the Southern District of Texas (McAllen Division), in Civil Action No. 7:21-CV-00272, issued a Preliminary Injunction precluding the federal government from utilizing any Department of Homeland Security (DHS) Fiscal Year ("FY") 2020 and 2021 "barrier systems" appropriations, except for the construction of barriers. This injunction becomes effective 11:59 p.m. CST on March 28, 2024 which will impact the U.S. Army Corps of Engineers' ("USACE") ability to continue the administration of your contract. Effectively, the injunction precludes this agency from using the DHS FY 2020/21 funds to pay USACE's labor to administer the subject contract.

Until further notice, we will be unable to process your termination settlement proposal. If the injunction is lifted, or other funds are identified to allow continued work on these matters, we will inform you promptly. However, until such time, any communications regarding the subject of this letter will by necessity be limited.

If you have any questions regarding this notification, please contact the undersigned at [Robin.G.Prince2@usace.army.mil](mailto:Robin.G.Prince2@usace.army.mil).

Sincerely,

Robin G. Prince  
Contracting Officer

